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9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 MARIO GONZALEZ,
15 Defendant.
16

CASE NO. 2:20-CR-13-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
[PROPOSED] FINDINGS AND ORDER

DATE: February 10, 2020
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status on February 10, 2020.
- 21 2. By this stipulation, defendant now moves to continue the status conference until March 2,
22 2020, and to exclude time between February 10, 2020, and March 2, 2020, under Local Code T4.
- 23 3. The parties agree and stipulate, and request that the Court find the following:
- 24 a) The government has represented that the discovery associated with this case
25 includes video/audio recordings and written reports. The government has provided extensive
26 initial discovery in the form of these recordings and reports. However, the defendant has
27 requested additional discovery, which the government is now producing.
- 28 b) Counsel for defendant desires additional time to review this initial discovery,

consult with his client, and otherwise prepare for trial.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of February 10, 2020 to March 2, 2020, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: February 7, 2020

McGREGOR W. SCOTT
United States Attorney

/s/ MICHAEL W. REDDING
MICHAEL W. REDDING
Assistant United States Attorney

Dated: February 7, 2020


/s/ Douglas Beevers
Douglas Beevers
Counsel for Defendant
MARIO GONZALEZ

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2 **FINDINGS AND ORDER**

3 The Court adopts the stipulation in its entirety and ORDERS the Status Conference and
4 defendant's motion to extend pretrial deadlines (Docket No. 14) is continued to March 2, 2020 at 9:00
5 a.m. in Courtroom 5 (WBS).

6 IT IS SO FOUND AND ORDERED.

7 Dated: February 7, 2020

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9 WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE